



## MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON NOVEMBER 26, 2018

A meeting of the Charter Township of Texas Flooding Task Force was held on November 26, 2018, commencing at approximately 10:30 a.m. at the Texas Charter Township Hall.

### 1. INTRODUCTIONS

Supervisor John Hinkle opened the meeting, thanking everyone for taking the time to attend and inviting the Task Force members to introduce themselves. The following members of the Task Force were present:

- Senator Margaret O'Brien
- Representative Brandt Iden
- Kalamazoo County Commissioner Dale Shugars
- Engineer Tom Smith, Prein & Newhof
- Engineer Tom Wheat, Prein & Newhof
- Derek Haroldson, DEQ
- Jeff VanBelle, Deputy Drain Commissioner
- Dan Moyle, Road Commission of Kalamazoo County (RCKC) Chairman
- Mark Worden, RCKC Project Superintendent
- Kendra Gwin, City of Portage Public Services Director
- Mike Corfman, Kalamazoo County Emergency Management Director
- Jim Roberts, Crooked Lake Association
- Russ Walters, Crooked Lake Association
- Amy Coon, Eagle Lake Association
- Len Bosma, Eagle Lake Association
- Dian Latora, Pine Island Development Representative
- Aaron Collins, Bass Lake Representative
- Robin Rose, Vineyard Development Representative
- Texas Township Trustee Tim Brown
- Texas Township Trustee Nick Loeks
- Texas Township Superintendent Julie VanderWiere
- Texas Township Supervisor John Hinkle

### 2. FLOODING STATUS

Jim Roberts (Crooked Lake) reported that as of last Friday, November 23<sup>rd</sup>, Crooked lake was 25  $\frac{3}{4}$  inches above the high water mark.

Amy Coon (Eagle Lake) reported that she checked before the meeting and Eagle Lake is at an all-time high.

Robin Rose (Vineyards) reported that the Vineyards is about the same from the last meeting.

Jeff VanBelle (Drain Commission) reported they have been at Pine Island working to drain the back yards. They have been excavating installing berms and adding pipes in an attempt to get the water away from the homes. They have had to remove several trees that were either dead or impeding drainage.

### 3. FLOOD STUDY UPDATE

Tom Smith reported that the Flood Study has been finalized and submitted to both DEQ and MDOT. The Flood Study contains a recommendation to pump 3,000 GPM from Crooked Lake and 1,500 GPM from Eagle Lake. The Long Term solution cost estimates for Crooked Lake are \$400,000 and \$800,000 for Eagle Lake.

### 4. WATER QUALITY TESTING UPDATE- AeM

Tom Wheat reported that AeM is still waiting for the lab test results for the water quality testing of Eagle Lake. We should receive these results any day now. The Draft report shows invasive species for both Eagle Lake and



## **MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON NOVEMBER 26, 2018**

Crooked Lake and none for Bass Lake. As a result, screening will be a requirement for the pumping from Crooked Lake. DEQ has provided information for the screening required on Selkirk Lake that has similar invasive species. Prein & Newhof is in the process of reviewing the information. The Selkirk screening project is a gravity flow which is much different from our project. Ours will be a challenge because it will require .05 inches of screening which will be difficult to keep clean and difficult to make work.

Tom Wheat advised that we owe the DEQ more details on the pumping but we have to determine how we will screen first to provide these details.

John Hinkle asked about the easements that will be required for the pumping process and where we were at with obtaining those. Tom Wheat stated that the easements for Eagle Lake to Crooked Lake have not been addressed yet but there is a verbal agreement for the easement from Crooked Lake to the wetland. However, the logical routes have been identified.

Len Bosma asked what invasives were identified in the lakes?

Tom Wheat advised that Eurasian watermilfoil, starry stonewort, purple loosestrife and curly leaf pondweed. There were no issues with the water chemistry identified.

Russ Walter asked how dramatically the screening will impact the pumping effectiveness. Tom Wheat advised that it is a really big deal but we are trying to work through it.

### **5. DEQ PERMIT UPDATE**

Derek Haroldson reported that on 10/26/18, DEQ received the initial permit application from the Township and Prein & Newhof. On 11/06/18 pumping from Eagle Lake was added to the permit application. Last Wednesday they reviewed what has been submitted thus far in the application. As a result, DEQ sent a letter to the Township and Prein & Newhof with a correction letter containing 18 items. Derek advised that some of the items are administrative and some are technical. Further details need to be submitted defining actual quantities and impacts downstream from the pumping. The Wetland Statute does require an Environmental Survey. Right now the project is deemed "on hold" until the 18 items are addressed. The Township has asked for a public hearing at the time of public notice. Derek advised that we will need to gauge how many people are expected to attend the public hearing so the hearing is scheduled at an appropriate size facility. Superintendent VanderWiere recommended using an auditorium at KVCC as the Township Hall is likely not big enough.

John Hinkle asked who all receives a notice of the hearing and public comment? Derek Haroldson advised that all land owners that will have direct infrastructure or take on extra water will receive notice. He remarked that it may even include everyone on the lakes as well as all stakeholders. DEQ will definitely aim for a wide net.

Russ Walters asked when we expected the application to be considered complete? Tom Smith advised that we are responding to all the items we have been asked to correct. We have to talk to Derek in more detail on a few of those items to determine what exactly DEQ wants to receive. Tom Wheat stated that screening is the key and we need to determine what level of detail is needed for the screening. Russ Walters asked if there were any other potential road blocks?



## **MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON NOVEMBER 26, 2018**

Tom Wheat responded that the Flood Study has been submitted to MDOT but Threatened and Endangered Species and Fish and Wildlife permits will also be required. The Natural Wetland at the MDOT culvert on 12<sup>th</sup> Street may contain the Mississauga Rattle Snake. This snake is on the endangered list and it needs to hibernate in a wet zone that is not flooded.

Derek Haroldson advised that they have also been looking at the Mississauga Rattle Snake. He will work with Prein & Newhof to help better understand the impact to the snake. He advised that the permit will not need to be 100% complete before they will consider approving it but everything (particularly the easements) will be required to be in order before the project can move forward.

Len Bosma asked about the cost estimate for the project? Tom Wheat responded that the short term solution is approximately \$650,000 which will cover 9 months of pumping Crooked Lake and 6 months of pumping of Eagle Lake. This estimate does not include the cost of screening.

Tom Smith stated that the permit application requests to pump for up to 1 year. This allows for rain and enough time to get the lakes to normal levels.

Jeff VanBelle advised that no permanent structure can be set without first establishing a legal lake level.

Tom Wheat said that setting a legal lake level will establish an authority to oversee the lake level. This will also become a County Drain between Eagle Lake and Crooked Lake and to the outlet.

John Hinkle inquired who establishes the board for that? Jeff VanBelle answered that it is the responsibility of the Drain Commission and under control of the drain office. He reiterated that the Drain Office is not real interested in augmentation wells. Both lakes already have operating policies for the augmentation. We really already know the lake level numbers. We need to set the numbers for when the augmentation pumps need to shut off. The Lake Level numbers could be something similar. Jeff VanBelle expressed that he would like the augmentation to be operated separately from the drainage district.

Robin Rose commented that at the start of the Task Force meetings, the push was to establish the legal lake level was a priority. She questioned where we were at with this process?

Jeff VanBelle stated that the process was started with the petitions. The Flood Study is in process and he is working with corporate counsel on the language for the legal lake level. Right now the focus has been shifted to the short term solution which is a quicker process to get through.

Amy Coon asked if the Township has discussed funding at all yet?

John Hinkle stated that the Township Board has discussed but is waiting to see if the permit is going to be issued. The Township can't pay for the entire project and determining the funding is not being ignored.

Tim Brown asked for clarification that the establishment of the legal lake level is not required for the short term solution.



## MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON NOVEMBER 26, 2018

Tom Wheat advised that the short term solution is for Emergency Mitigation. The long term solution will take approximately 2-3 years and will need the legal lake level established.

Russ Walters reported that Crooked Lake started the petition drive but there are too many unanswered questions. We are focusing on the short term solution and know there are many questions yet to be answered.

### 6. QUESTIONS/COMMENTS

Len Bosma 3-4 weeks before DEQ approval will put us into January. We still need permits for access, are we now looking at February/March before the pumping will begin?

Tom Wheat explained that there are so many moving parts and potential road blocks. If we didn't have to screen we could just pump once the permit is approved. To get through Threatened and Endangered Species and Public Hearing process it is at least 6 weeks out.

Derek Haroldson stated that DEQ will continue to work with everyone. We are working on the Public Hearing and Comment period. It is probably 30-60 days before a decision can be made which would be the end of January, however this is conservative. Derek asked about potential venues for the public hearing. Julie VanderWiere recommended KVCC. Derek then stated that they would not hold up the process if the easements were not in place. But they would be required before any pumping could occur.

Len Bosma asked if we needed to screen from Eagle Lake to Crooked Lake as well as Crooked Lake to the wetland?

Tom Wheat answered that it will depend on the final test results. Derek Haroldson also advised that it was not likely they would require screening if the water make up is similar.

Jim Roberts asked if an Aqua Swirl could be used instead of screening?

Tom Wheat answered that an Aqua Swirl was more to screen out dirt not invasive species. We need to be able to guarantee 100% that the invasives will not be transferred.

Jim Roberts replied that the DEQ as a whole, not Derek Haroldson, is doing a bad job right now of managing their access points. They do not have wash stations to ensure the invasives are not being transferred. He asked if DEQ was going to hold up the permit to keep Bass Lake clean from invasives?

Derek Haroldson advised that DEQ would not approve a project if invasives were going to be spread.

Tim Brown inquired about the Selkirk screening. What is the success rate? Is there documentation of their success rate? Can we have confidence that it is successful?

Tom Wheat replied that is all new territory and of great importance. We do not know the success rate yet.



7110 WEST Q AVENUE  
Kalamazoo, MI 49009  
269/375-1591  
[www.texastownship.org](http://www.texastownship.org)

**MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS  
FLOODING TASK FORCE MEETING HELD ON NOVEMBER 26, 2018**

Derek Haroldson advised that Selkirk has a lot of the same similarities with the same type of species. He will work to get more details.

Russ Walters inquired if the Flood Study is something that the public can read? Or is it too technical?

Tom Smith answered that it would be up to the Township. Julie VanderWiere advised that the Township would link a copy of it on our website.

The next meeting date for the Task Force was scheduled for Wednesday December 19<sup>th</sup> at 10:30am.

Submitted by Superintendent Julie VanderWiere  
December 5, 2018